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## Certificate of Facsimile Transmission

I hereby certify that the attached RCE Transmittal with accompanying Amendment and PTO-2038 to Examiner Dung C. Dinh is being transmitted via facsimile to the U.S. Patent and Trademark Office (571) 273-8300 on May 16, 2006.

Janet Sullivan

PATENT APPLICATION  
Do. No. 6071-002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ron McCabe  
Confirmation No. 8995  
Serial No.: 09/438,184 Examiner: D. Dinh  
Filed: November 11, 1999 Group Art Unit: 2153  
For: FLEXIBLE REMOTE DATA MIRRORING  
Date: May 16, 2006

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted:  
☐ Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.  
☐ Other:
- b. ☒ Enclosed is:



Amendment/Reply  
Affidavit(s)/Declaration(s)  
Information Disclosure Statement (IDS)  
Other:

05/17/2006 TL0111 00000011 131703 09438184  
01 FC:2801 395.00 0P

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## 2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required).

Other:

## 3. Fees: (Note: The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed)

- ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ☒ \$375 small entity
- ☐ \$790 large entity

(Small entity)

CLAIMS AS AMENDED					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	20	20*	0	x \$ 25 =	\$0
Independent Claims	2	2**	0	x \$ 100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

- ☒ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- |   |   |                                 |
|---|---|---------------------------------|
|   | small entity                              | large entity                    |
| <input type="checkbox"/> Extension of Time - 1 <sup>st</sup>            | <input type="checkbox"/> \$60             | <input type="checkbox"/> \$120  |
| <input checked="" type="checkbox"/> Extension of Time - 2 <sup>nd</sup> | <input checked="" type="checkbox"/> \$225 | <input type="checkbox"/> \$450  |
| <input type="checkbox"/> Extension of Time - 3 <sup>rd</sup>            | <input type="checkbox"/> \$510            | <input type="checkbox"/> \$1020 |

☐ Suspension of application fee (37 C.F.R. § 1.17(i))--\$130

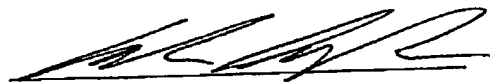
☒ PTO Form 2038 authorizing credit card payment is attached.

☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Customer No. 20575

Respectfully submitted,

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